Phoenix Program Reportedly Aims at Killing VC Civilians

By George C. Wilson 12/20/69

Washington Post Staff Writer

Project Phoenix often requires Americans to "exterminate" Vietcong political cadres in South Vietnam, a lawyer who represented one of eight Green Berets charged with murder said yesterday.

George W. Gregory also said that Americans in the Phoenix program went "in droves" to military lawyers in Saigon to inquire about their legal rights after eight Green Berets were arrested for murder.

The lawyers at the MACV (Military Assistance Command-Vietnam) headquarters "did not know what to tell them," Gregory asserted. The South Carolina lawyer went to Saigon in August to defend Maj. Thomas E. Middleton Jr., of Jefferson, S.C., one of the eight Green Berets.

Charges Dropped

The charges against all eight Green Berets were abruptly dropped on the ground that their trials would compromise American intelligence operations in Vietnam.

The alleged Mylai massacre, bringing new murder charges against an Army officer who allegedly killed 109 civilians, has focused world attention on American war methods in Vietnam.

President Nixon has characterized the killing of civilians as something to be abhorred, promising that any American found guilty of doing this will be punished.

Project Phoenix, as described by Gregory, amounts to an American policy of premeditated murder of South Vietnamese civilian officials loyal to the Communist side. The Pentagon describes Phoenix as a program to neutralize the Vietcong infra-structure—the equivalent of mayors and other officials who run the villages, collect taxes and recruit for the Communists.

Geneva Convention

If Gregory's description of Phoenix is accurate, the American government claim that the U.S. is adhering to the Geneva Convention in the Vietnam war would be open to challenge.

Phoenix, Gregory said in a speech to the Atlanta Press Club yesterday, is a program "where you infiltrate the Vietcong and extreminate" those in the "infra-structure."

When he was in Saigon, Gregory said, "the smart money was going Uncle Ho so the Americans had to do their own dirty work."

Asked afterward by Washington Post Reporter Bruce Galphin whether he meant that Americans sometimes do the actual killing, Gregory answered in the affirmative.

"They're required to because of the political situation there," the lawyer said in elaborating on a reference to South Vietnamese who he said are "half-hearted" about the Phoenix work.

"I learned about it," Gregory told Galphin, "from people who were in on the deal. Then I learned from some attorneys in MACV that these men from Operation Phoenix were coming in in droves to learn their legal rights" in light of the murder charges lodged against the Green Berets for the killing of a South Vietnamese civilian.

Dennis J. Doolin, deputy assistant secretary of defense for east Asian affairs, recently described Phoenix as "the U.S. advisory effort which supports the government of Vietnam's anti-Vietcong infra-structure program to identify and to neutralize the Vietcong civilians whose continued terrorizing control over the inhabitants thwarts pacification efforts.

"Every attempt," Doolin continued, "is made to capture and reorient former members of the VCI (Vietcong infrastructure) toward support of the government of Vietnam and to obtain information from them regarding the VCI.

"A counter-terror campaign obviously would subvert and be counter-productive to the basic purpose of pacification in reorienting the allegiance of all the South Vietnamese people toward support of the government of Vietnam," Doolin said.

"As a matter of policy," the defense official continued, "the United States continues to place great emphasis upon the proper humane treatment of suspects and prisoners in accordance with its responsibilities under the Geneva Convention . . ."